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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of	:	Customer Number: 46321
	:	
Miguel a. ESTRADA, et al.	:	Confirmation Number: 4386
	:	
Application No.: 10/731,823	:	Group Art Unit: 3629
	:	
Filed: December 9, 2003	:	Examiner: Jonathan P. Ouellette
	:	
For: METHOD AND SYSTEM FOR COLLABORATIVE COMMUNITY MEMBERSHIP MANAGEMENT		

APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Appeal Brief is submitted in support of the Notice of Appeal filed August 4, 2008, wherein Appellants appeal from the Examiner's rejection of claims 1-20.

I. REAL PARTY IN INTEREST

This application is assigned to International Business Machines Corporation by assignment recorded on December 9, 2003, at Reel 014786, Frame 0942.

II. RELATED APPEALS AND INTERFERENCES

Appellants are unaware of any related appeals and interferences.

III. STATUS OF CLAIMS

Claims 1-20 are pending in this Application and have been twice rejected. It is from the multiple rejections of claims 1-20 that this Appeal is taken.

IV. STATUS OF AMENDMENTS

The claims have not been amended subsequent to the imposition of the Final Office Action dated May 2, 2008 (hereinafter the Final Office Action).

V. SUMMARY OF CLAIMED SUBJECT MATTER

Referring to Figures 1 and 2, and also to independent claim 15, a system 18 for managing membership in a networked collaborative computing environment community 10 is disclosed (lines 1-8 of paragraph [0019]). In particular, the system for managing membership in a networked collaborative computing environment community in which the system has a first workstation 22 and a collaborative computing server 26 in data communication with the first workstation 22 via the network 20 (lines 3-9 of paragraph [0021]. The collaborative computing server 26 is operative to receive identification from the first workstation 22 of a selected group of end user persons to invite to join the collaborative computing community 10, evaluate the selected group to identify one or more invitees therefrom, send a notification to the one or more invitees extending an invitation to join the collaborative computing community 12 and receive an indication from one or more invitees that the invitee wishes to join the community 12 (lines 6-15-13 of paragraph [0009]).

Referring to Figures 1 and 3-6, and also to independent claim 1, a method for managing membership in a collaborative computing environment community is disclosed (lines 1-5 of paragraph [0008]). The method for managing membership in a collaborative computing environment community in which identification of a selected a group of end user persons to invite to join the collaborative computing community is received (lines 3-5 of paragraph [0008]). The selected group is evaluated to identify one or more invitees there from (lines 5-7 of paragraph [0008]). The one or more identified invitees are invited to join the community and an indication from one or more invitees that the invitee wishes to join the community is received (lines 7-10 of paragraph [0008]).

Referring to Figures 1 and 3-6, and also to independent claim 8, a machine readable storage device storing a computer program for managing membership in a collaborative computing environment community is disclosed (lines 2-4 of paragraph [0033]). The computer program can include a routine set of instructions which when executed by a machine causes the machine to perform a method for managing membership in a collaborative computing environment community in which identification of a selected a group of end user persons to invite to join the collaborative computing community is received (lines 3-5 of paragraph [0008]). The selected group is evaluated to identify one or more invitees there from (lines 5-7 of paragraph [0008]). The one or more identified invitees are invited to join the community and an indication from one or more invitees that the invitee wishes to join the community is received (lines 7-10 of paragraph [0008]).

VI. GROUNDS OF REJECTIONS TO BE REVIEWED ON APPEAL

1. Claims 1-20 were rejected under 35 U.S.C. § 102(e) for anticipation based upon U.S. Patent Application Publication No. 2004/0122693 to Hatscher et al., (hereinafter Hatscher).

VII. THE ARGUMENT

THE REJECTION OF CLAIMS 1-20 UNDER 35 U.S.C. § 102 FOR ANTICIPATION BASED UPON HATSCHER

For the convenience of the Honorable Board in addressing the rejections, claims 2-7 stand or fall together with independent claim 1; claims 9-14 stand or fall together with independent claim 8; and claims 16-20 stand or fall together with independent claim 15.

As is evident from Appellants' previously-presented comments during prosecution of the present Application and from Appellants' comments below, there are questions as to how the limitations in the claims correspond to features in the applied prior art. In this regard, reference is made to M.P.E.P. § 1207.02, entitled "Contents of Examiner's Answer." Specifically, the following is stated:

(A) CONTENT REQUIREMENTS FOR EXAMINER'S ANSWER. The examiner's answer is required to include, under appropriate headings, in the order indicated, the following items:

...

(9)(c) For each rejection under 35 U.S.C. 102 or 103 where there are questions as to how limitations in the claims correspond to features in the prior art even after the examiner complies with the requirements of paragraphs (c) and (d) of this section, the examiner must compare at least one of the rejected claims feature by feature with the prior art relied on in the rejection. The comparison must align the language of the claim side-by-side with a reference to the specific page, line number, drawing reference number, and quotation from the prior art, as appropriate. (emphasis added).

Therefore, if the Examiner is to maintain the present rejections and intends to file an Examiner's Answer, the Examiner is required to include the aforementioned section in the Examiner's Answer.

The factual determination of anticipation under 35 U.S.C. § 102 requires the identical disclosure, either explicitly or inherently, of each element of a claimed invention in a single reference.¹ Moreover, the anticipating prior art reference must describe the recited invention with sufficient clarity and detail to establish that the claimed limitations existed in the prior art and that such existence would be recognized by one having ordinary skill in the art.²

"Both anticipation under § 102 and obviousness under § 103 are two-step inquiries. The first step in both analyses is a proper construction of the claims. ... The second step in the analyses requires a comparison of the properly construed claim to the prior art."³ During patent examination, the pending claims must be "given their broadest reasonable interpretation consistent with the specification,"⁴ and the broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach.⁵ Therefore, the Examiner must (i) identify the individual elements of the claims and properly construe these individual elements,⁶ , and (ii) identify corresponding elements disclosed in the allegedly

¹ *In re Rijckaert*, 9 F.3d 1531, 28 USPQ2d 1955 (Fed. Cir. 1993); *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); *Perkin-Elmer Corp. v. Computervision Corp.*, 732 F.2d 888, 894, 221 USPQ 669, 673 (Fed. Cir. 1984).

² See *In re Spada*, 911 F.2d 705, 708, 15 USPQ 1655, 1657 (Fed. Cir. 1990); *Diversitech Corp. v. Century Steps Inc.*, 850 F.2d 675, 678, 7 USPQ2d 1315, 1317 (Fed. Cir. 1988).

³ *Medichem, S.A. v. Rolabo, S.L.*, 353 F.3d 928, 933 (Fed. Cir. 2003) (internal citations omitted).

⁴ *In re Hyatt*, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000).

⁵ *In re Corright*, 165 F.3d 1353, 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999).

⁶ See also, *Panduit Corp. v. Dennison Mfg. Co.*, 810 F.2d 1561, 1567-68 (Fed. Cir. 1987) (In making a patentability determination, analysis must begin with the question, "what is the invention claimed?" since "[c]laim interpretation... will normally control the remainder of the decisional process"); see *Gechter v. Davidson*, 116 F.3d 1454, 1460 (Fed. Cir. 1997) (requiring explicit claim construction as to any terms in dispute).

anticipating reference and compare these allegedly corresponding elements to the individual elements of the claims.⁷ This burden has not been met. In this regard, the Examiner's rejection under 35 U.S.C. § 102 also fails to comply with 37 C.1 F.R. § 1.104(c).⁸

Prior to addressing the specifics of the Examiner's rejection, Appellants wish to address certain themes that have been consistently present throughout the extensive prosecution of the present application. The Examiner's analysis appears to be conclusion-based in that the Examiner's desired conclusion (i.e., the claims are identically disclosed by the prior art) is driving the Examiner's analysis of the prior art instead of having the Examiner's analysis of the prior art driving the Examiner's conclusion.

As identified by Appellants throughout the prosecution of the present Application, the Examiner's analysis fails to specifically identify many of the claimed elements relied upon by the Examiner in rejecting the claims. Moreover, although the Examiner has consistently "interpreted broadly"⁹ the language of the claim, the Examiner fails to (i) provide explicit claim constructions for the language at issue; (ii) explain why the Examiner's claim construction is both broad and *reasonable*; (iii) explain why the Examiner's claim construction is consistent with Appellants' specification and consistent with the meaning one having ordinary skill in the art would attribute to the language; and (iv) provide factual support for any of the Examiner's analysis. Instead, the

⁷ Lindermann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984).

⁸ 37 C.1 F.R. § 1.104(c) provides:

In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.

⁹ See, e.g., paragraphs 5-10 of the Final Office Action.

Examiner's analysis consists of conclusory statements that the applied prior art teaches the limitation of the claims without substantive explanation

Moreover, the Examiner has failed to clearly designate the teachings in Hatscher being relied upon in the statement of the rejection. In this regard, the Examiner's rejection under 35 U.S.C. § 103 also fails to comply with 37 C.F.R. § 1.104(c), which reads:

In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.

Despite these requirements, the Examiner's statement of the rejection simply consists of the Examiner repeating, almost word-for-word; each of the recited claims and asserting that the entire claim is disclosed by Hatscher. The Examiner however, fails to recite any passage or figure in Hatscher that discloses . The manner in which the Examiner conveyed the statement of the rejection, however, has not “designated as nearly as practicable” the particular parts in Hurst being relied upon in the rejection.

It is practicable for the Examiner, for each of the claimed elements, to specifically identify each feature within Hatscher being relied upon to teach each of the particular claimed elements. For example, the Examiner can “specifically identify” a feature, corresponding to the claimed element, within the applied prior art by identifying a reference numeral associated with the feature. In addition to or alternatively, the Examiner may cite to a brief passage (i.e., 1 or 2 lines or even a portion of a line) within the applied prior art that identifies 1 the feature that corresponds to the claimed element. However, in this case the Examiner has failed to cite to

anything at all in Hatscher in rejecting dependent claims 2-7, 9-14 and 16-20. Appellants previously raised this very deficiency to the attention of the Examiner on page 12 of Appellants' Amendment dated November 1, 2008, wherein Appellants stated:

The Applicants note that **the Examiner has chosen not to specifically apply any portions of Hatscher in rejecting Claims 2-7, 9-14 and 16-20.** The Applicants take issue with the Examiner's course of conduct in this regard and remind the Examiner of the Examiner's responsibility in providing a proper examination under 37 C.F.R. 104(c)(2) in which it is stated with emphasis added:

(2)In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, **the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.** . . . , an entire paragraph, or several columns to disclose a single (or multiple) claimed elements does not designate "as nearly as practicable," the particular features within Stefik in view of Boebert being relied upon by the Examiner in the rejection. (emphasis added).

The importance of the specificity requirement of 37 C.F.R. § 1.104(c) is evident in M.P.E.P. § 706.07, which states:

The examiner should never lose sight of the fact that in every case the applicant is entitled to a full and fair hearing, and that a clear issue between applicant and examiner should be developed, if possible, before appeal.

A clear issue, however, cannot be developed between Appellants and the Examiner where the basis for the Examiner's rejection of the claims is ambiguous. The Examiner's "analysis" provides little insight as to (i) how the Examiner is interpreting the elements of the claims and (ii) what specific features within Hatscher the Examiner believes identically discloses the specific elements (and interactions between elements) recited in the claims. By failing to specifically identify those features within Hatscher being relied upon in the rejection, the Examiner has essentially forced Appellants to engage in mind reading and/or guessing to determine how the Examiner is interpreting the elements of the claims and what specific features within Hatscher the Examiner believes identically disclose the claimed invention.

As noted by the Supreme Court in Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.,¹⁰ a clear and complete prosecution file record is important in that "[p]rosecution history estoppel requires that the claims of a patent be interpreted in light of the proceedings in the PTO during the application process." The Courts that are in a position to review the rejections set forth by the Examiner (i.e., the Board of Patent Appeals and Interferences, the Federal Circuit, and the Supreme Court) can only review what has been written in the record; and therefore, the Examiner must clearly set forth the rationale for the rejection and clearly and particularly point out those elements within the applied prior art being relied upon by the Examiner in the statement of the rejection.

Essentially, the Examiner is placing the burden on Appellants to establish that S Hatscher does not disclose the claimed elements based upon Appellants' interpretation of the claims and Appellants' comparison of the claims with the applied prior art. However, this shifting of burden, from the Examiner to Appellants, is premature since the Examiner has not discharged the initial burden of providing a *prima facie* case of anticipation. Appellants also note that any continuing disagreement between Appellants and the Examiner as to whether or not a particular claimed feature is disclosed by Hatscher is a direct result of a lack of specificity by the Examiner in the statement of the rejection.

Appellants and the Examiner have a fundamental disagreement as to what constitutes a proper rejection under 35 U.S.C. § 102. Appellants' position is that the Examiner (i) identify the claimed elements/limitations; (ii) for each of the claimed elements/limitations provide a claim

¹⁰ 535 U.S. 722, 122 S.Ct. 1831, 1838, 62 USPQ2d 1705, 1710 (2002).

construction; and (iii) for each of the claimed element/limitations, specifically identify a teaching in the applied prior art that allegedly discloses the claimed element/limitation. Appellants, however, recognize that if an identified teaching in the applied prior art unambiguously identically corresponds to the claimed element/limitation, then a claim construction of that particular claimed element/limitation is not necessary. However, where the Examiner has engaged in some type of analysis (i.e., claim construction) in order to assert that a particular teaching in the applied prior art identically discloses a particular claimed element/limitation; the Examiner is obligated to share that analysis with Appellants.

On the other hand, based upon the analysis initially provided by the Examiner and the Examiner's response to Appellants' prior arguments, the Examiner apparently believes that a proper rejection under 35 U.S.C. § 102 can involve lumping together numerous claimed element/limitations and citing to ALL passages in the applied prior art (i) without explaining why the passages are relevant, in general, (ii) without identifying what passage is relevant to a particular claimed element, and (iii) without providing any claim construction.

Apparently, the Examiner's position is that Appellants should review ALL passages and (i) guess as to how the Examiner is interpreting the elements of the claims and (ii) guess as to the specific features within the applied prior art that the Examiner believes identically discloses the specific elements/limitations recited in the claims. Essentially, the Examiner believes the burden of proving patentability over the applied prior rests with Appellants after the Examiner has set forth the minimalist of rejections.

Based upon Appellants arguments and the law cited herein, Appellants position is that the Examiner has failed meet the initial burden of establishing a prima facie case of anticipation. As such, until that prima facie case has been made, Appellants have no burden to point out the differences between the applied prior art and the claimed invention. Referring to the unpublished opinion of Ex parte Pryor¹¹, the Board of Patent Appeals and Interferences recognized the necessity for an Examiner to supply sufficient information to establish a prima facie case of obviousness. Specifically, the Board wrote:

At the outset, we note the examiner has been of little help in particularly explaining the rejections on appeal. A mere statement that claims stand rejected "as being clearly anticipated by" a particular reference, without any further rationale, such as pointing out corresponding elements between the instant claims and the applied reference, fails to clearly make out a prima facie case of anticipation (emphasis in original).

Notwithstanding that the burden of pointing out the differences between the applied prior art and the claimed invention has not been shifted to Appellants, Appellants presented arguments as to the differences between Hatscher and the claimed invention.

Claim 1

On pages 10-11 of the Response, Appellants presented the following arguments. Applicants' claims all refer explicitly to a "receiving an indication from one or more invitees that the invitee wishes to join the community". The cited passages of Hatscher fail to disclose the claimed limitation. Exemplary claim 1 recites as follows:

1. A method for managing membership in a collaborative computing environment community, the method comprising:
 - receiving identification of a selected group of end user persons to invite to join the collaborative computing community;
 - evaluating the selected group to identify one or more invitees there from;
 - inviting the one or more identified invitees; and

¹¹ Appeal No. 1997-2981.

receiving an indication from one or more invitees that the invitee wishes to join the community. (emphasis added).

Specifically, in paragraph 3 of the First Office Action and verbatim reproduction in paragraph 3 of the Final Office Action, with regard to the “anticipation” rejection, the Examiner asserted the following:

As per independent Claims 1, 8, and 15, Hatscher discloses a method for managing membership in a collaborative computing environment community (Abstract), the method comprising: receiving identification of a selected group of end user persons to invite to join the collaborative computing community; evaluating the selected group to identify one or more invitees there from (Fig. 7A-7H, Para 0033, Para 0050-0052, People Finder; inviting the one or more identified invitees (Fig. 7A-7H, Para 0053, invitation); and receiving an indication from one or more invitees that the invitee wishes to join the community (Fig. 7A-7H, Para 0054, confirmation).

Once again, Appellants respectfully disagree with the Examiner’s analysis. In this regard, the Examiner referenced paragraph [0054], “confirmation”, which is produced for the convenience of the Honorable Board below.

[0054] FIG. 7H illustrates an implementation of the confirmation screen 780 providing a display of the characteristics of the community. The confirmation screen 780 displays a summary 784 of the community including a description of the community, community type, tools and methods associated with the community, roles assigned to the members of the community, documents that can be shared in the community, and a copy of the invitation sent to the members of the community. In addition, the confirmation screen 780 provides a confirmation 782 that the community has been created. (emphasis added).

A careful examination of paragraph [0054] fails to find the claimed “receiving an indication from one or more invitees that the invitee wishes to join the community.” To the contrary, paragraph [0053] of Hatscher only provides “a copy of the invitation sent to members of the community” which is only an indication that an invitation was sent by a user who wishes to create a community. Moreover, the confirmation 782 that the community has been created on confirmation screen 780 and illustrated in FIG. 7H specifically presents the message “Message sent. CONGRATULATIONS! You have created the community “3d Design Artwork”. Below is

a summary of your community.” The confirmation 782 fails to fully disclose Applicants’ claimed feature of “**receiving an indication from one or more invitees that the invitee wishes to join the community.**” Therefore, for the reasons previously presented in the Response, Appellants respectfully submit that the Examiner has failed to establish a prima facie case of anticipation in rejecting claims 1 and 2-7 under 35 U.S.C. § 102 for anticipation based upon Hatscher.

Claim 8

Independent Claim 8 has the same or substantially the same “**receiving an indication from one or more invitees that the invitee wishes to join the community**” feature as recited in Claim 1. Thus, for the reason stated above with respect to Claim 1, Hatscher also fails to identically disclose each element of the claimed invention of Claims 8 and Claims 9-14.

Claim 15

Exemplary claim 15 recites as follows:

15. A system for managing membership in a networked collaborative computing environment community, the system comprising:
a first workstation; and
a collaborative computing server in data communication with the first workstation via the network, the collaborative computing server being operative to:
receive identification from the first workstation of a selected group of end user persons to invite to join the collaborative computing community;
evaluate the selected group to identify one or more invitees there from;
send a notification to the one or more invitees extending an invitation to join the collaborative computing community; and
receive an indication from one or more invitees that the invitee wishes to join the community. (emphasis added).

Independent Claim 15 has the same or substantially the same “receiv[ing] an indication from one or more invitees that the invitee wishes to join the community” feature as recited in Claims 1. Thus, for the reason stated above with respect to Claim 1, Hatscher also fails to identically disclose each element of the claimed invention of Claims 8 and Claims 9-14. Therefore, for the reasons previously presented in the Response, Appellants respectfully submit that the Examiner has failed to establish a prima facie case of anticipation in rejecting claims 15 and 16-20 under 35 U.S.C. § 102 for anticipation based upon Hatscher.

Claims 2-7, 9-14 and 16-20

The Appellants note that the Examiner has chosen not to specifically apply any portions of Hatscher in rejecting Claims 2-7, 9-14 and 16-20. The Applicants take issue with the Examiner's course of conduct in this regard and remind the Examiner of the Examiner's responsibility in providing a proper examination under 37 C.F.R. 104(c)(2) in which it is stated with emphasis added:

(2)In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, **the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.**

Clearly in this instance the Examiner has not met this very basic requirement.

In any event, Claims 2-7, 9-14 and 16-20 all depend from one of Claims 1, 8 and 15, and at least for the reasons stated, Hatscher fails to anticipate Claims 2-7, 9-14 and 16-20 as Hatscher also fails to identically disclose each element of the claimed invention of Claims 2-7, 9-14 and 16-20. Thus, as it will be clear to the Honorable Board, Hatscher fails as references to sufficiently establish a prima facie case of anticipation.

Conclusion

Based upon the foregoing, Appellant respectfully submits that the Examiner's rejections under 35 U.S.C. § 102(b) are not viable. Appellants, therefore, respectfully solicit the Honorable Board to reverse the Examiner's rejections under 35 U.S.C. § 102(e).

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 12-2158, and please credit any excess fees to such deposit account.

Date: October 6, 2008

Respectfully submitted,

/Steven M. Greenberg/
Steven M. Greenberg,
Registration No. 44,725
Adam C. Underwood
Registration No. 45,169
Tel: (561) 922-3845
Facsimile: (561) 244-1062
Customer Number 46321

VIII. CLAIMS APPENDIX

1. A method for managing membership in a collaborative computing environment community, the method comprising:
 - receiving identification of a selected group of end user persons to invite to join the collaborative computing community;
 - evaluating the selected group to identify one or more invitees there from;
 - inviting the one or more identified invitees; and
 - receiving an indication from one or more invitees that the invitee wishes to join the community.
2. The method of claim 1, wherein evaluating the selected group includes determining whether any members of the selected group are already members of the community, the identified invitees being members of the selected group who are not already members of the community.
3. The method of claim 1, wherein evaluating the selected group includes determining whether any members of the selected group are excluded from the community, the one or more identified invitees being members of the selected group who are not excluded from the community.
4. The method of claim 1, further comprising further performing access control processing to determine whether an invitee who has accepted the invitation to join the community is authorized to join the community.

5. The method of claim 1, further comprising removing a group from the community, wherein members of the community who are members of the removed group are not removed as members of the community.
6. The method of claim 1, wherein inviting one or more identified invitees includes sending an electronic mail message to each of the identified invitees, the electronic mail message including a hyperlink, which can be selected to indicate a desire to join the community.
7. The method of claim 2, wherein evaluating the selected group includes determining whether any members of the selected group are excluded from the community, the one or more identified invitees being members of the selected group who are not excluded from the community.
8. A computer-readable storage medium storing a computer program which when executed performs a collaborative computing community invitation method comprising:
 - receiving identification of a selected [[a]] group of end user persons to invite to join the collaborative computing community;
 - evaluating the selected group to identify one or more invitees there from;
 - inviting the one or more identified invitees; and
 - receiving an indication from one or more invitees that the invitee wishes to join the community.

9. The computer-readable storage medium of claim 8, wherein evaluating the selected group includes determining whether any members of the selected group are already members of the community, the identified invitees being members of the selected group who are not already members of the community.

10. The computer-readable storage medium of claim 8, wherein evaluating the selected group includes determining whether any members of the selected group are excluded from the community, the one or more identified invitees being members of the selected group who are not excluded from the community.

11. The computer-readable storage medium of claim 8, wherein the method performed by the stored computer program when executed further includes performing access control processing to determine whether an invitee who has accepted the invitation to join the community is authorized to join the community.

12. The computer-readable storage medium of claim 8, wherein the method performed by the stored computer program when executed further includes removing a group from the community, wherein members of the community who are members of the removed group are not removed as members of the community.

13. The computer-readable storage medium of claim 8, wherein inviting one or more identified invitees includes sending an electronic mail message to each of the identified invitees, the electronic mail message including a hyperlink, which can be selected to indicate a desire to

join the community.

14. The computer-readable storage medium of claim 9, wherein evaluating the selected group includes determining whether any members of the selected group are excluded from the community, the one or more identified invitees being members of the selected group who are not excluded from the community.

15. A system for managing membership in a networked collaborative computing environment community, the system comprising:

- a first workstation; and

- a collaborative computing server in data communication with the first workstation via the network, the collaborative computing server being operative to:

- receive identification from the first workstation of a selected [[a]] group of end user persons to invite to join the collaborative computing community;

- evaluate the selected group to identify one or more invitees there from;

- send a notification to the one or more invitees extending an invitation to join the collaborative computing community; and

- receive an indication from one or more invitees that the invitee wishes to join the community.

16. The system of claim 15, wherein evaluating the selected group includes determining whether any members of the selected group are already members of the community, the identified invitees being members of the selected group who are not already members of the

community.

17. The system of claim 15, wherein evaluating the selected group includes determining whether any members of the selected group are excluded from the community, the one or more identified invitees being members of the selected group who are not excluded from the community.

18. The system of claim 15, wherein the collaborative computing server is further operative to perform access control processing to determine whether an invitee who has accepted the invitation to join the community is authorized to join the community.

19. The system of claim 15, wherein the collaborative computing server is further operative to remove a group from the community, wherein members of the community who are members of the removed group are not removed as members of the community.

20. The system of claim 15, wherein the system further comprises one or more second workstations in data communication with the collaborative computing server via the network, and wherein inviting one or more identified invitees includes sending an electronic mail message to the second workstation corresponding to each of the identified invitees, the electronic mail message including a hyperlink, which can be selected to indicate a desire to join the community.

IX. EVIDENCE APPENDIX

No evidence submitted pursuant to 37 C.F.R. §§ 1.130, 1.131, or 1.132 of this title or of any other evidence entered by the Examiner has been relied upon by Appellant in this Appeal, and thus no evidence is attached hereto.

X. RELATED PROCEEDINGS APPENDIX

Since Appellant is unaware of any related appeals and interferences, no decision rendered by a court or the Board is attached hereto.